

Washington, D.C. – Two senior House members today called on the Justice Department to appeal a recent decision in federal district court which found a congressional ban on funding for ACORN to be a bill of attainder. House Judiciary Committee Ranking Member Lamar Smith (R-Texas) and House Oversight and Government Reform Ranking Member Darrell Issa (R-Calif.) today sent a [letter](#) to Attorney General Holder calling Judge Nina Gershon's decision "preposterous" and urging the Department to file an immediate appeal.

"It is outrageous that a federal court would deny Congress our constitutional right to cut off federal funding to an organization with a history of criminal conduct," said Smith. "The law—passed with bipartisan support—is not intended to punish ACORN, but rather to protect our constituents from being forced to contribute their taxpayer dollars to an organization under investigation for fraud, mismanagement and abuse of federal funds."

"The Justice Department should immediately appeal the decision in order to preserve Congress' authority under the Spending Clause of the Constitution. Congress has a responsibility to prevent waste, fraud and abuse of taxpayer funds. This decision undercuts our ability to ensure that American tax dollars are not allocated to organizations engaged in or

promoting activities that violate U.S. or state law.”

“The Obama Administration must vigorously defend what the President signed and Congress overwhelmingly passed—a bipartisan recognition that ACORN is not fit to receive federal funds to perform duties on behalf of the American people,” said Issa, also a member of the House Judiciary Committee. “This left-wing activist Judge is setting a dangerous precedent that left-wing political organizations plagued by criminal accusations have a constitutional entitlement to taxpayer dollars.”

ACORN is currently under investigation in more than a dozen states. Many members of the organization and its affiliates have been convicted of criminal conduct, including voter registration fraud.

Following the release of undercover videos showing ACORN employees encouraging criminal conduct, Congress voted overwhelmingly to prohibit the provision of federal funds to ACORN. Earlier this month, ACORN released the results of an internal audit—paid for by ACORN—that not surprisingly exonerated the organization. Republicans rightly questioned the credibility of the review and continue to demand an independent investigation.

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